Office of the Commissioner for Federal Judicial Affairs Canada

2013–14

Departmental Performance Report

The Honourable Peter MacKay, P.C., M.P.
Minister of Justice and Attorney General of Canada

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Catalogue No. J41-1/2014E PDF

ISSN 2368-0938
This document is available on FJA's website at: http://www.fja-cmf.gc.ca/

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Foreword

Departmental Performance Reports are part of the Estimates family of documents. Estimates documents support appropriation acts, which specify the amounts and broad purposes for which funds can be spent by the government. The Estimates document family has three parts.

Part I (Government Expenditure Plan) provides an overview of federal spending.

Part II (Main Estimates) lists the financial resources required by individual departments, agencies and Crown corporations for the upcoming fiscal year.

Part III (Departmental Expenditure Plans) consists of two documents. Reports on Plans and Priorities (RPPs) are expenditure plans for each appropriated department and agency (excluding Crown corporations). They describe departmental priorities, strategic outcomes, programs, expected results and associated resource requirements, covering a three-year period beginning with the year indicated in the title of the report. Departmental Performance Reports (DPRs) are individual department and agency accounts of actual performance, for the most recently completed fiscal year, against the plans, priorities and expected results set out in their respective RPPs. DPRs inform parliamentarians and Canadians of the results achieved by government organizations for Canadians.

Additionally, Supplementary Estimates documents present information on spending requirements that were either not sufficiently developed in time for inclusion in the Main Estimates or were subsequently refined to account for developments in particular programs and services.

The financial information in DPRs is drawn directly from authorities presented in the Main Estimates and the planned spending information in RPPs. The financial information in DPRs is also consistent with information in the Public Accounts of Canada. The Public Accounts of Canada include the Government of Canada Consolidated Statement of Financial Position, the Consolidated Statement of Operations and Accumulated Deficit, the Consolidated Statement of Change in Net Debt, and the Consolidated Statement of Cash Flow, as well as details of financial operations segregated by ministerial portfolio for a given fiscal year. For the DPR, two types of financial information are drawn from the Public Accounts of Canada: authorities available for use by an appropriated organization for the fiscal year, and authorities used for that same fiscal year. The latter corresponds to actual spending as presented in the DPR.

The Treasury Board *Policy on Management, Resources and Results Structures* further strengthens the alignment of the performance information presented in DPRs, other Estimates documents and the Public Accounts of Canada. The policy establishes the Program Alignment Architecture of appropriated organizations as the structure against which financial and non-financial performance information is provided for Estimates and parliamentary reporting. The same reporting structure applies irrespective of whether the organization is reporting in the Main Estimates, the RPP, the DPR or the Public Accounts of Canada.

A number of changes have been made to DPRs for 2013–14 to better support decisions on appropriations. Where applicable, DPRs now provide financial, human resources and performance information in Section II at the lowest level of the organization's Program Alignment Architecture.

In addition, the DPR's format and terminology have been revised to provide greater clarity, consistency and a strengthened emphasis on Estimates and Public Accounts information. As well, departmental reporting on the Federal Sustainable Development Strategy has been consolidated into a new supplementary information table posted on departmental websites. This new table brings together all of the components of the Departmental Sustainable Development Strategy formerly presented in DPRs and on departmental websites, including reporting on the Greening of Government Operations and Strategic Environmental Assessments. Section III of the report provides a link to the new table on the organization's website. Finally, definitions of terminology are now provided in an appendix.

Commissioner's Message

As the Commissioner for Federal Judicial Affairs, I am pleased to present the Office's Departmental Performance Report for 2013-2014. The Office of the Commissioner for Federal Judicial Affairs Canada was created in 1978 under the *Judges Act* to provide support and services to the federal judiciary and promote the independence of the judiciary. An independent and effective judiciary is fundamental to our system of justice and I am proud of the role our Office plays in supporting that goal.

During the past year our Office continued to provide high quality services to 1,115 federally appointed judges, as well as close to 910 pensioners and survivors. We provided support and administrative services to the Canadian Judicial Council and its committees. At the request of the Minister of Justice we provided administrative support to the judicial appointments process and the Supreme Court of Canada appointments process.

The following pages describe the activities undertaken in 2013-2014 in furtherance of our mandate and particular steps that we have taken to improve and enhance the services we provide. These include a comprehensive review of all our services and business processes, an assessment of the controls in place, and ongoing improvements to our information management and supporting technology.

I wish to thank all of our staff for their excellent work during the year. Our success depends upon their dedication and professionalism.

William A. Brooks
Commissioner

Section I: Organizational Expenditure Overview

Organizational Profile

Minister: The Honourable Peter MacKay, P.C., M.P.

Deputy Head: William A. Brooks, Commissioner

Ministerial Portfolio: Minister of Justice and Attorney General of Canada

Main Legislative Authorities: *Judges Act*

The Minister has sole responsibility to Parliament for the following Act:

Judges Act (R.S.C., 1985, c. J-1), December 2012

Year established: 1978

Website: http://www.fja-cmf.gc.ca

Other:
Information about the Canadian Judicial Council, its mandate and programs are found at the Council's website: http://www.cjc-ccm.gc.ca

The Executive Summary of the 2011 Client Satisfaction Survey can be found at FJA's website: http://www.fja.gc.ca/publications/survey-sondage/index-2011-eng.html

Public Accounts of Canada 2014: http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html

Treasury Board of Canada Secretariat: http://www.tbs-sct.gc.ca/tbs-sct/index-eng.asp

Organizational Context

Raison d'être

The Office of the Commissioner for Federal Judicial Affairs provides services to the Canadian judiciary and promotes judicial independence. The Minister of Justice is responsible for this organization.

Mission Statement

To provide excellent services and support to the federal judiciary in a manner that promotes the independence of the judiciary and the confidence of Canadians in our judicial system.

Responsibilities

Section 73 of the *Judges Act* establishes the office of the Commissioner for Federal Judicial Affairs Canada. Section 74 sets out the duties and functions of the Commissioner.

The Commissioner:

- Administers Part I of the *Judges Act* , including the administration of salaries, allowances and annuities of judges of the Federal Court of Appeal, the Federal Court, the Tax Court of Canada and federally appointed judges of provincial and territorial superior courts;
- Prepares budgetary submissions and provides administrative support and services to the Canadian Judicial Council;
- Performs such other duties as the Minister of Justice may require in connection with any matters falling, by law, within the Minister's responsibilities for the proper functioning of the judicial system in Canada. These include: the operation of the Judicial Appointments Secretariat; support to the Supreme Court of Canada appointments process; publication of the *Federal Courts Reports*; the provision of language training to judges; the coordination of judicial international cooperation activities; and support to the Judicial Compensation and Benefits Commission.

Strategic Outcome and Program Alignment Architecture

Strategic Outcome: An independent and efficient federal judiciary

- **1.1 Program:** Payments pursuant to the *Judges Act*
- **1.2 Program:** Canadian Judicial Council
- **1.3 Program:** Federal Judicial Affairs
  - **1.3.1 Sub-Program:** Services to Judges
  - **1.3.2 Sub-Program:** Judges Language Training
  - **1.3.3 Sub-Program:** Federal Courts Reports
  - **1.3.4 Sub-Program:** Judicial Appointments Secretariat
  - **1.3.5 Sub-Program:** Judicial Compensation and Benefits Commission

Internal Services

FJA seeks to deliver high-quality services to the Canadian Judiciary in a manner which supports and promotes judicial independence. In this regard, FJA contributes to the following strategic outcome: **An independent and efficient federal judiciary.**

Organizational Priorities

Priority	Type	Strategic Outcome(s) [and/or] Program(s)
Client Services. FJA's primary duty and responsibility is to administer the *Judges Act* and to provide all federally appointed judges with the support services that they require to fully carry out their judicial mandate.	Ongoing	An independent and efficient federal judiciary.
Summary of Progress		
FJA continued to provide high levels of service to clients in terms of core services such as payment of judges' salaries, allowances and annuities. A Client Satisfaction Survey conducted in 2011 showed a 91% satisfaction level. With the objective of improving services and identifying efficiencies, FJA conducted reviews of its key business processes, including administrative services to the judiciary, salary administration for payments to the judges, pension administration, judicial appointments, publication of the *Federal Courts Reports*, judges' language training, and expense claim processing. Follow up action was taken to implement identified service improvements.		

Priority	Type	Strategic Outcome(s) [and/or] Program(s)
Corporate planning and reporting. Establish a formal system of corporate policy development, planning, performance measurement and program evaluation which integrates Human Resource Planning.	Ongoing	An independent and efficient federal judiciary.
Summary of Progress		
In 2013-2014, consultants were engaged to update the three year integrated business plan. During the process divisional plans were developed, an annual planning process was established, a risk assessment of the organization was conducted, a performance management framework was established and strategic priorities and projects were agreed upon. The next step will be the development of service standards and more structured monitoring of performance against these standards.		

Priority	Type	Strategic Outcome(s) [and/or] Program(s)
Information management/ systems. Improve and develop systems and improve the management of information, data and knowledge resource holdings.	Ongoing	An independent and efficient federal judiciary.
Summary of Progress		
Information Technology maintained a high level of availability and quality of operation, and various upgrading initiatives were pursued to align FJA systems with government-wide ones and to improve efficiency (e.g., reduce double entry of data). FJA continued to implement the Management Action Plan of the Office of the Comptroller General (OCG) Horizontal Audit on electronic record keeping. Specific actions included the scanning of historical documents and updating the information architecture.		

Priority	Type	Strategic Outcome(s) [and/or] Program(s)
Security. Maintain expertise for all aspects of security, including physical security of FJA clients, employees, visitors, facilities, data, information and systems and to ensure FJA is compliant with the Government Security Policy.	Ongoing	An independent and efficient federal judiciary.
Summary of Progress		
To ensure compliance with the Government Security Policy additional work is being carried out to finalize the Departmental Security Plan and to meet government-wide requirements of the MITS (Management of Information Technology Security).		

Risk Analysis

Key Risks

Risk	Risk Response Strategy	Link to Program Alignment Architecture
Maintaining a high level of support and services to judges in a manner that supports and promotes judicial independence in the context of government-wide centralization of common services and shared services.	The *Judges Act* establishes a regime of salaries, allowances and annuities unique to federally appointed judges and which is administered by the Office of the Commissioner for Federal Judicial Affairs. The ongoing government wide initiative to centralise common services and shared services has resulted in consideration of a transfer from FJA to a common service agency some of the administration of these core services. Discussions are ongoing with central agencies to explain the mandate of FJA and how this initiative may impact judicial independence as well as service levels to judges.	▪ An independent and efficient federal judiciary ▪ Payments pursuant to the *Judges Act*
Errors (e.g., payments, vacancies lists, procurement).	Challenges of administering the unique regime in the *Judges Act* include ensuring a correct interpretation of the *Act* and consistency and accuracy in a high volume of transactions environment. Current strategies to minimize risk are 100% verification of transactions, use of technology to assist in processing payments, staff training, and regular reviews of internal controls.	▪ An independent and efficient federal judiciary ▪ Payments pursuant to the *Judges Act* ▪ Internal services
Renewal of legacy systems being phased out.	Once pay and pension modernization are completed government-wide, PWGSC will no longer be able to support the Judges Annuitant System. PWGSC earmarked funding for developmental costs towards a new system, and will continue to support FJA until a new solution is finalized.	▪ An independent and efficient federal judiciary ▪ Payments pursuant to the *Judges Act*

The Government has initiatives in place for pay modernization, consolidation of pay services, and pension modernization. These initiatives include consideration of a proposal that FJA transfer pay and pension administration for judges to common service agencies. Consideration of such a proposal must take into account the primary mission of FJA to protect the independence of the federal judiciary in order to maintain the confidence of Canadians in our judicial system. FJA is therefore pursuing a range of initiatives to ensure the renewal of legacy systems and alignment with government-wide processes and systems, both in terms of services provided to judges as well as controls to ensure the proper application of policies and rules governing the payment of judges' salaries, allowances, benefits and annuities.

Actual Expenditures

Budgetary Financial Resources (dollars)

2013–14 Main Estimates	2013–14 Planned Spending	2013–14 Total Authorities Available for Use	2013–14 Actual Spending (authorities used)	Difference (actual minus planned)
497,675,214	497,675,214	502,106,450	501,342,281	(3,667,067)

Human Resources (Full-Time Equivalents [FTEs])

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
66	62	4

Budgetary Performance Summary for Strategic Outcome and Programs (dollars)

Strategic Outcome(s), Program(s) and Internal Services	2013–14 Main Estimates	2013–14 Planned Spending	2014–15 Planned Spending	2015–16 Planned Spending	2013–14 Total Authorities Available for Use	2013–14 Actual Spending (authorities used)	2012–13 Actual Spending (authorities used)	2011–12 Actual Spending (authorities used)
Strategic Outcome: An independent and efficient federal judiciary.								
Payments Pursuant to the *Judges Act*	487,534,826	487,534,826	500,885,033	514,430,443	490,350,437	490,350,437	474,217,220	459,802,737
Canadian Judicial Council	1,672,727	1,672,727	1,642,565	1,668,410	1,770,016	1,681,809	1,657,597	1,920,926
Federal Judicial Affairs	7,613,383	7,613,383	8,454,448	7,762,398	9,131,719	8,455,757	8,352,983	8,584,690
Subtotal	**496,820,936**	**496,820,936**	**510,982,046**	**523,861,251**	**501,252,172**	**500,488,003**	**484,227,800**	**470,308,353**
Internal Services Subtotal	854,278	854,278	726,800	726,800	854,278	854,278	874,800	874,800
Total	**497,675,214**	**497,675,214**	**511,708,846**	**524,588,051**	**502,106,450**	**501,342,281**	**485,102,600**	**471,183,153**

The actual spending for the department shows a continual increase over the reporting periods resulting from the annual increase in judges' salaries based on the Industrial Aggregate as provided for in the *Judges Act* as well as an increase in the number of judges appointed to the bench and the number of pensioners receiving benefits under the *Judges Act*.

Alignment of Spending With the Whole-of-Government Framework

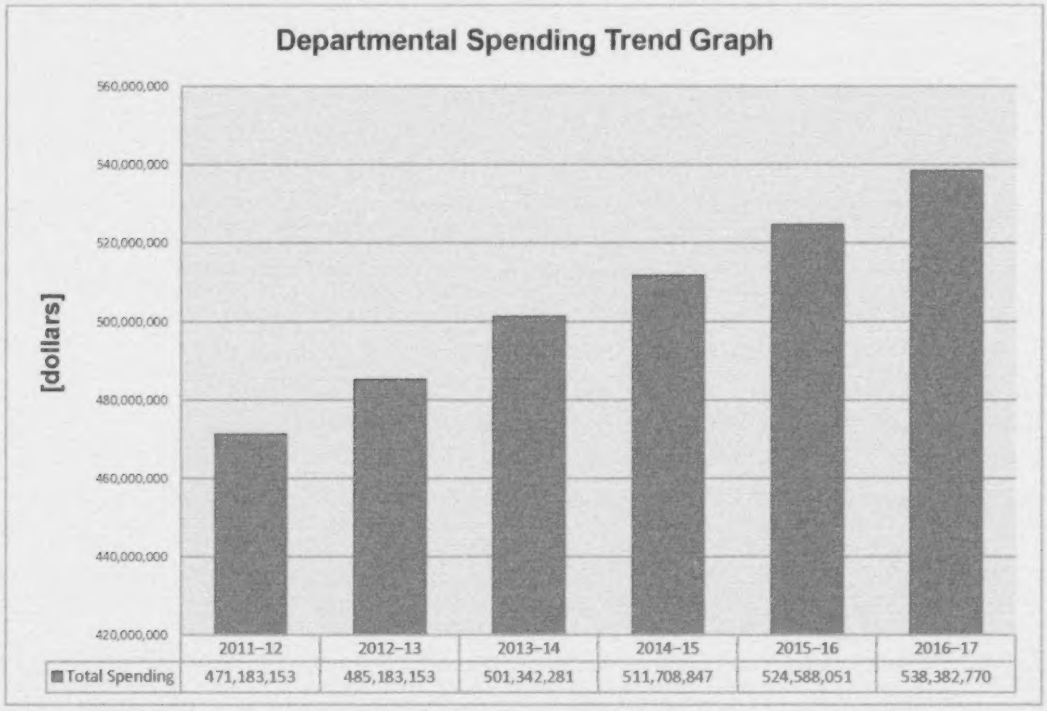
Alignment of 2013–14 Actual Spending With the Whole-of-Government Framework[ii] (dollars)

Strategic Outcome	Program	Spending Area	Government of Canada Outcome	2013–14 Actual Spending
An independent and efficient federal judiciary.	1.1 Payments pursuant to the *Judges Act*	Social affairs	A safe and secure Canada	490,350,437
	1.2 Canadian Judicial Council	Social affairs	A safe and secure Canada	1,681,809
	1.3 Federal Judicial Affairs	Social affairs	A safe and secure Canada	8,455,757

Total Spending by Spending Area (dollars)

Spending Area	Total Planned Spending	Total Actual Spending
Social Affairs	496,820,936	500,488,003

Departmental Spending Trend



Total spending is closely aligned with the Main Estimates and planned spending for 2013-14. The $3.7 million variance between the total planned and actual spending is mainly attributed to an overall $2.8 million increase in statutory expenditures for judges' salaries, the increased number of judicial appointments and the increased number of pensioners. An additional $0.7 million represents an increase to FJA's operating expenses primarily due to legal obligations.

Estimates by Vote

For information on the Office of the Commissioner for Federal Judicial Affairs' organizational Votes and statutory expenditures, consult the *Public Accounts of Canada 2014* on the Public Works and Government Services Canada website[iii].

Section II: Analysis of Programs by Strategic Outcome

Strategic Outcome: An independent and efficient federal judiciary

Performance Measurement

Performance Indicators	Targets	Actual Results
Judges' view on the contribution of the Office to judicial independence.	90% of judges are satisfied with the administration of the judiciary and feel it effectively contributes to their independence.	91% of judges said they were either "very" or "somewhat satisfied" with the services provided by FJA. Satisfaction scores were consistently high across specific FJA service areas. (*2011 Client Satisfaction Survey*).

A high proportion of judges (91% based on the most recent client satisfaction survey conducted in 2011) consider FJA to be doing a good job. All programs and services of FJA contribute to achieving this outcome. This section contains a discussion of results of the various FJA programs and related sub-programs:

- Payments pursuant to the *Judges Act*
- Canadian Judicial Council
- Federal Judicial Affairs (includes Service to Judges, Judges Language Training, Federal Courts Reports, Judicial Appointments Secretariat, and Judicial Compensation and Benefits Commission)
- Internal Services

Program 1.1: Payments Pursuant to the *Judges Act*

Description

Payments of salaries, allowances and annuities to federally appointed judges, and their survivors, in the superior courts and courts of appeal in Canada.

Budgetary Financial Resources (dollars)

2013–14 Main Estimates	2013–14 Planned Spending	2013–14 Total Authorities Available for Use	2013–14 Actual Spending (authorities used)	2013–14 Difference (actual minus planned)
487,534,826	487,534,826	490,350,437	490,350,437	(2,815,611)

Human Resources (Full-Time Equivalents [FTEs])

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
n/a	n/a	n/a

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Accurate payment of salaries, allowances and annuities as per *Judges Act*	Less than 2% errors on payments	Less than 2%	All payments are verified to ensure compliance with the *Judges Act*.
Comprehensive, up-to-date and validated files are kept on all judges and their survivors	Less than 2% of files that are not up-to-date or are missing information	Less than 2%	All judges and their survivors have comprehensive, up-to-date and validated files.

Performance Analysis and Lessons Learned

The scope of this program includes compensation and pension administration for approximately 1,115 judges and 910 pensioners and survivors. The number of judicial appointments has steadily increased and the number of pensioners peaked over 900 during 2013-14.

Steps continue to be taken to ensure greater consistency in the application of policies, rules, and entitlements, and thereby maintain public confidence in the judiciary. Transactions are monitored using checklists. 100% verification is done of all expense claims to avoid errors and ensure a consistent interpretation of the *Judges Act*. Processes have been documented, and internal controls reviewed with external support. A detailed process review was conducted of administrative services to the judiciary, and decision rules were documented for future reference.

Program 1.2: Canadian Judicial Council

Description

Administrative support to the various committees established by the Council which is composed of 39 Chief Justices and Associate Chief Justices in Canada as well as the Senior Judges from the superior courts in Nunavut, Yukon and the Northwest Territories.

Budgetary Financial Resources (dollars)

2013–14 Main Estimates	2013–14 Planned Spending	2013–14 Total Authorities Available for Use	2013–14 Actual Spending (authorities used)	2013–14 Difference (actual minus planned)
1,672,727	1,672,727	1,770,016	1,681,809	(9,082)

Human Resources (Full-Time Equivalents [FTEs])

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
10	11	1

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Effective functioning of Canadian Judicial Council committees.	CJC members satisfied with the administration and support of their committees.	Number of Committee Chairpersons satisfied with secretariat support.	The chairpersons reported being very satisfied with CJC services.

Performance Analysis and Lessons Learned

The secretariat, comprised of 10 employees, provides support to the Canadian Judicial Council in keeping with its mandate to foster the better administration of justice in Canada in terms of efficiency, uniformity, accountability and judicial conduct. The Chairpersons of the various committees continue to be very satisfied with the level of support they receive.

During the course of the fiscal year, Council's Committees, Sub-committees and Working Groups met on a regular basis to undertake their work in line with the Council's mandate. For example, to ensure that Council keeps pace with the public's evolving expectations of fairness, efficiency and transparency in the process, the Council - via the Judicial Conduct Committee - initiated a review of the complaints process against federally-appointed judges. As part of this review, the Council launched a public web-based consultation to seek the input of Canadians about the process of review of complaints. This consultation is seeking input on all aspects of the process, from the front-end screening through to the public inquiry stage.

The Canadian Judicial Council plays a pivotal role in ensuring that judges maintain the highest standards of conduct, which is essential to maintaining the rule of law and public confidence in the administration of justice. The complexity of complaints made against the federally appointed judges has been steadily increasing. During 2013-2014, the CJC received 158 complaints, and 138 complaints were closed. At year end, 61 complaints were under review, compared to 44 at the end of the previous fiscal year.

Judicial Conduct Activities	2010-2011	2011-2012	2012-2013	2013-2014
Number of complaints received	156	185	138	158
Number of complaints closed	140	190	131	138
Number of open complaints under review at year-end	42	37	44	61
Other conduct-related correspondence (no. of letters)	114	163	233	222

Program 1.3: Federal Judicial Affairs

Description

Provides services to federally appointed judges including compensation and pension services, financial services, information technology/information management, language training, editing of the *Federal Courts Reports*, services to the Minister of Justice through the Judicial Appointments Secretariat including the Supreme Court of Canada, and International Programs.

Budgetary Financial Resources (dollars)

2013–14 Main Estimates	2013–14 Planned Spending	2013–14 Total Authorities Available for Use	2013–14 Actual Spending (authorities used)	2013–14 Difference (actual minus planned)
7,613,383	7,613,383	9,131,450	8,455,757	(842,374)

Human Resources (Full-Time Equivalents [FTEs])

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
48	43	5

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Federally appointed judges have access to timely, high-quality, and cost effective services.	Satisfaction of judges with services provided	90% of judges are satisfied with services provided	91% of judges said they were either "very" or "somewhat satisfied" with the services provided by FJA. Satisfaction scores were consistently high across specific FJA service areas. (*2011 Client Satisfaction Survey*).

Performance Analysis and Lessons Learned

FJA continued to provide a high level of service to clients in terms of core services such as payment of judges' salaries, allowances and annuities. A Client Satisfaction Survey of judges, completed in 2011, assessed the opinions of judges regarding the satisfaction of judges with services provided by FJA. The survey also collected performance assessments of each FJA sub-program.

The 2011 Survey showed a 91% satisfaction level. The judges were generally very satisfied with FJA services as satisfaction scores for each service were in the 80% or higher range. Three areas

identified as important to achieving continuous improvement were: identifying points of contact, streamlining processes and timeliness of responses.

FJA conducted a number of process reviews to identify opportunities to streamline processes and improve services. These include:

- Judges' Supplementary Retirement Benefit Accounts (SRBA)
- Vote Netting Authority
- Procure to Pay
- Government Acquisition cards
- Managing the Delegation of Financial Authorities

FJA has also implemented follow-up actions related to:

- Salary administration for payments pursuant to the *Judges Act*
- Pension administration for payments pursuant to the *Judges Act*

Sub-Program 1.3.1: Services to Judges

Description

Provide financial services; human resources, compensation and pension services; information management/technology services; and international cooperation activities, to federally appointed judges in the superior courts in Canada.

Budgetary Financial Resources (dollars)

2013–14 Planned Spending	2013–14 Actual Spending	2013–14 Difference (actual minus planned)
4,489,935	5,466,294	(976,359)

Human Resources (FTEs)

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
32	24	8

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Timely and accurate administration of the Order-in-Council process.	Percentage of Order-in-Council submissions prepared within service standards.	100% of submissions prepared within service standard of 5 days.	100% of all Order-in-Council submissions were prepared within the service standard.
Efficient and effective administration of Judges' compensation and benefits programs and processes.	Percentage of compensation and benefits claims processed within service standards.	95% of compensation and benefits claims processed within service standards.	Over 90% of compensation and benefits claims transactions were processed within service standards.
Accurate and timely processing and validation of claims received for expenses in compliance with the *Judges Act* and internal guidelines governing financial management.	Percentage of expense claims processed and validated for entry into tracking system.	100% of expense claims compliant with *Judges Act* and departmental policies and guidelines.	100% of all claims received were audited to ensure compliance to departmental policies and guidelines.
	Percentage of expense claims processed within service standard.	90% of claims processed within service standard of 10 days.	Over 96% of expense claims were processed within the 10 day service standard.

Expected Results	Performance Indicators	Targets	Actual Results
Access to a trusted and reliable judicial email and collaboration tool.	Percentage of time core system available to users.	Core systems available 98% of time on an annual basis.	JUDICOM system availability was 99% during 2013-2014.
	Percentage of judges satisfied with system.	75% of judges satisfied with system.	76% of judges were satisfied with the JUDICOM system according to *2011 Client Satisfaction Survey.*

Performance Analysis and Lessons Learned

The scope of this service includes compensation and pension administration services for 1,115 judges and 910 pensioners and survivors. FJA administers a budget in excess of $500 million annually which pays for judges' salaries, allowances and annuities, relocation and travel expenses; and reviews and processes some 20,000 expense claims per year.

FJA continues to meet service standards with respect to the range of services provided through the lifecycle of a federal judge position, for example, preparing Order-in-Council submissions upon initial appointment (within 5 days); bringing a judge "on board" (within 1 month of appointment); responding to benefits inquiries from judges (within 2 days); processing retirement documentation (within 1 month); issuing a pension in the event of death (within 3 months). With some exceptions, expense claims are processed within a 10 day standard; the majority of claims are processed under 5 days.

JUDICOM provides judges with email, a secure and restricted communication system, and a virtual library. Federally appointed judges are able to collaborate effectively, sharing information through JUDICOM. About three-quarters of judges (76%) are satisfied with the JUDICOM system; based on the 2011 Client Satisfaction Survey. 75% of judges considered JUDICOM to be an important tool and 87% used the system monthly. The JUDICOM system remained functional more than 99% of the time. A Service Desk provided timely and professional services.

FJA provides judges with support, assistance and advice with respect to their involvement in international work and projects. During 2013-2014, FJA arranged for the participation of judges in international projects in Jamaica and Ukraine funded by the Canadian International Development Agency (CIDA) and the Department of Foreign Affairs and International Trade Canada (DFAIT). FJA also responded to international requests from foreign organizations for access to Canadian judicial expertise and courts, and provided support and assistance to the Superior Courts in responding to and managing these requests. The cost of managing the implementation of international cooperation projects has been met through cost recovery from other funding agencies (primarily the former Canadian International Development Agency).

FJA has undertaken a number of initiatives to improve the efficiency of the services to judges:

- FJA is exploring options for Judges and pensioners pay stub printing to reduce overhead costs and increase efficiencies.
- Judges can now view the balances of their conference allowances online on demand through a self-serve module in JUDICOM. This continues to improve service to judges, reduces calls and replaces the need for monthly paper mail-outs.
- The personnel module in the Phoenix application used for pay and pension and for appointments continues to be updated in order to eliminate double entry and increase efficiencies and accuracy of data.
- The financial module in the Phoenix application used for expense claim processing continues to be upgraded to provide timely and accurate financial data to judges.

Sub-Program 1.3.2: Judges Language Training

Description

Provide language training services in both official languages to federally appointed judges.

Budgetary Financial Resources (dollars)

2013–14 Planned Spending	2013–14 Actual Spending	2013–14 Difference (actual minus planned)
1,558,737	1,442,664	116,073

Human Resources (FTEs)

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
5	5	0

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Federally appointed judges have access to timely, high-quality, and cost effective language training services.	Number of days for judge to complete registration, and be assessed and assigned a tutor.	30 days	100% target achieved.
	Satisfaction with language training (based on FJA *Client Satisfaction Survey*).	90% of judges satisfied.	In 2011, 88% of Judges said they were satisfied with the language training services (87% in 2008).

Performance Analysis and Lessons Learned

FJA provided language training to judges through its varied curriculum catering to the learners' proficiency level goals in the second Official language. Participation rates in FJA's course offerings continued at a sustainable level with an average new intake of 30 judges per year. Through individual, immersion, or intensive training sessions, participants have enhanced their ability to function in both official languages at varied skill levels and also perfect their knowledge of legal terminology. An increasing number of judges have benefited from FJA language learning opportunities, enabling them to preside in court, understand testimony, read legal texts, write decisions, participate in legal conferences and conduct presentations in their second official language. Satisfaction rates of 88% have been achieved. FJA has pursued various

curriculum development projects as well as enhanced distance learning in order to maintain its provision of accessible, high quality language training to participating judges nationwide.

Language training	2011-2012	2012-2013	2013-2014
New judges registered each year	32	33	30
Judges registered	249	255	262
Immersion sessions/ number of judges enrolled	6/214	6/214	5/219
Judges in private training sessions	175	191	194
Training hours in private courses	6795	7288	7094
Language training products developed	16	24	36
Language assessments	30	28	30

FJA made significant progress in acquiring, accessing and managing qualified language and legal terminology specialists for its program delivery. In the last year, language training was delivered at an average cost of $50 per hour, well within industry standards. Since the Canada School of Public Service decision to cease direct language training services, FJA is now heavily involved in the complex management of a national network of specialists and alternative service providers. This represents additional challenges and significantly increases FJA workload in order to ensure a continuous supply and quality assurance of language training specialists as well as developing curriculum and new courses while remaining efficient and cost effective.

Sub-Program 1.3.3: Federal Courts Reports

Description

Publish the *Federal Courts Reports* (FCR), which are the official reports of the decisions of the Federal Court of Appeal and of the Federal Court, pursuant to section 58 of the *Federal Courts Act*. Only decisions that are of sufficient significance or importance are published.

Budgetary Financial Resources (dollars)

2013–14 Planned Spending	2013–14 Actual Spending	2013–14 Difference (actual minus planned)
1,065,662	1,075,266	(9,604)

Human Resources (FTEs)

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
8	8	0

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Timely, accurate and bilingual publishing of selected Federal Courts decisions.	% of decisions rendered published per year.	5% of decisions rendered published per year.	4.7% of decisions rendered were published in 2013-2014.
	% of selected cases published within service standards.	75% of selected cases are published within 24 months.	100% of cases were published within 24 months. The average delay was 22.71 months for print and 20.32 months for web.
	No. of Parts published per year.	12 parts published per year.	12 parts were published.
	No. of errata published per year.	No more than 5 errata published per year.	No errata published in 2013-2014.

Performance Analysis and Lessons Learned

The *Federal Courts Reports* brings significant new decisions to the profession's attention, facilitates legal research by including quality value-added features, and ensures a permanent record of important decisions while making the best use of new technologies and keeping up with the changing demands of the legal and judicial communities and the general public. Decisions, which are made available in print and on the Internet, undergo a thorough editorial process, including translation accuracy confirmation.

Federal Courts Reports	2010-2011	2011-2012	2012-2013	2013-2014
Judgments received	1695	1859	1615	1360
Judgments selected as reports/as % of judgments received	88/5.2%	66/3.6%	77/4.8%	64/4.7%
Judgments selected as digests/as % of judgments received	152/9.0%	120/6.5%	78/4.8%	78/5.7%
Decisions published	78	62	60	70 (print) 72 (web)
Digests published	139	129	86	78
Parts printed	13	13	11	12
Pages printed	3258	2714	2890	3153
Reports average delay (months)	15.8	16.6	21.5	22.71 (print) 20.32 (web)

The focus continued to be on modernizing the publication process and achieving efficiencies through, *inter alia*, greater electronic collaboration, in-house use of desktop publishing tools, publishing decisions on the web site before their reproduction in final form in the print version, and ongoing improvements to the Web product. Measures have also been put in place to allow for a return to a more timely publication.

FCR's decision to make its own author's alterations continued to pay dividends throughout the year, resulting in savings of time and money.

The elaboration of a business plan also resulted in a clearer picture for FCR of its objectives and what its priorities should be. This renewed focus will foster further improvements and cost reductions. One such improvement was the elimination of statutory amendments in the Reports. This value-added feature was deemed no longer necessary in light of technological improvements. Other efficiencies were also achieved. For example, with respect to the preparations of documents for Web publication, macros were developed to assist in completing mundane tasks, thus speeding up the publication process.

Sub-Program 1.3.4: Judicial Appointments Secretariat

Description

Administration of the judicial appointments process on behalf of the Minister of Justice in a way that treats all candidates for judicial office fairly and in which assessments are completed expeditiously and thoroughly.

Budgetary Financial Resources (dollars)

2013–14 Planned Spending	2013–14 Actual Spending	2013–14 Difference (actual minus planned)
499,049	471,533	27,516

Human Resources (FTEs)

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
3	3	0

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Fair Judicial Appointments process.	% of applications screened and ready to be assessed by Committees within 3 months of reception.	95% of applications screened and ready to be assessed by Committees within 3 months of reception.	Over 95% of applications were screened and ready to be assessed by Committees within 3 months of reception.

Performance Analysis and Lessons Learned

The judicial appointments process contributes to an independent judiciary by ensuring an effective and fair candidate assessment process. The Judicial Appointments Secretariat administers, on behalf of the Minister of Justice, 17 Advisory Committees across Canada, comprised of 133 members in total, who evaluated 321 candidate applications for federal judicial appointments in the year ending October 31, 2013. Over 95% of applications received by FJA (495 applications in total during 2012-2013) are screened and ready for review by committee within three months.

The Minister of Justice has also requested that FJA provide administrative support to and coordinate the process for the appointment of judges to fill vacancies at the Supreme Court of Canada. This is being done from current FJA financial resources.

Following a process review carried out in 2011, FJA has been assessing options to automate the current judicial appointments process.

Sub-Program 1.3.5: Judicial Compensation and Benefits Commission

Description

Administration of the Judicial Compensation and Benefits Commission to inquire into the adequacy of the salaries and other amounts payable under the *Judges Act* and into the adequacy of judges' benefits generally.

Budgetary Financial Resources (dollars)

2013–14 Planned Spending	2013–14 Actual Spending	2013–14 Difference (actual minus planned)
0	0	0

Human Resources (FTEs)

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
0	0	0

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Process for determining salaries and benefits of judges supports the independence of the federal judiciary.	At least every four years.	Final report and recommendations	n/a

Performance Analysis and Lessons Learned

The Judicial Compensation and Benefits Commission was established under subsection 26(1) of the *Judges Act* to examine, every four years, the adequacy of the salaries and other amounts payable to federally appointed judges under the Act, and inquire into the adequacy of judges' benefits generally. FJA provides support and funding to the Commission, including secretariat support as well as data and statistics to Commission members.

The next Commission will be convened during fiscal year 2015-2016.

Internal Services

Description

Internal Services are groups of related activities and resources which support the delivery of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; Acquisition Services; and Other Administrative Services. Internal Services includes only those activities and resources that apply across an organization and not to those provided specifically to a program.

Budgetary Financial Resources (dollars)

2013–14 Main Estimates	2013–14 Planned Spending	2013–14 Total Authorities Available for Use	2013–14 Actual Spending (authorities used)	2013–14 Difference (actual minus planned)
854,278	854,278	854,278	854,278	0

Human Resources (FTEs)

2013–14 Planned	2013–14 Actual	2013–14 Difference (actual minus planned)
8	8	0

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Resources are allocated and expended in a cost effective manner in accordance with the department's Strategic Plan.	Departmental lapse of resources.	Annual budgetary lapse under 5%.	Actual departmental lapse in 2013-2014 was 5.45%.
Department successfully attracts and retains the right people at the right time to meet its current and future business needs.	Percentage of staff and management satisfied with Human Resource Services.	80% of staff and management are satisfied with the Human Resource Services.	As per PSES 2011, 76% of staff and management believe that we hire people who can do the job.

Expected Results	Performance Indicators	Targets	Actual Results
A model workplace.	Percentage of staff satisfied with the organization.	80% of staff are satisfied with the organization.	As per PSES 2011, 68% of departmental staff would recommend FJA as a good place to work.
Information technology tools are available to meet departmental needs.	Percentage of time the systems are available to users.	Core systems available 98% of the time on an annual basis.	Core systems were available 99% of the time.

Performance Analysis and Lessons Learned

FJA continued to meet the expectations of managers and employees with respect to human resources, financial management, procurement, information technology and other administrative services. The main improvement areas pursued during 2013-14 are noted below.

Information management. FJA continues implementation of the Management Action Plan on the Office of the Comptroller General Horizontal Audit on Electronic Record Keeping. Specific actions were deferred due to shifting priorities and lack of resources.

Implementation of policy on internal controls. During 2013-2014, the documentation of business processes and design effectiveness testing for the Judges' Supplementary Retirement Benefits Account (SRBA), Vote Netting Authority, Government Acquisition Cards and Managing the Delegation of Financial Signing Authorities were addressed. The Procure to Payment and Revenues to Receivables processes were also started in 2013-2013 and are expected to be completed in 2014-2015.

Improving organizational efficiency. As a follow-up to a departmental organizational review undertaken in 2011, FJA undertook two additional division organizational/process efficiency reviews in 2013-14. This had a direct impact on staffing; a key focus of FJA was to support affected employees and support human resources planning.

Human resources planning. The principal human resources risk facing FJA is the loss of expertise and corporate memory from the retirement of long-serving experienced staff, and the lack of in-house expertise and back up in specialized areas. FJA continued to do succession and integrated HR planning to mitigate this risk.

Staffing audit. FJA continues to implement the action plan following a staffing audit by the Public Service Commission (PSC).

Systems enhancements. FJA is part of the cluster of small departments and agencies that is making the transition from HRIS human resources information system to PeopleSoft in December 2015.

Section III: Supplementary Information

Financial Statements Highlights

Office of the Commissioner for Federal Judicial Affairs Canada
Condensed Statement of Operations and Departmental Net Financial Position
(unaudited)
For the Year Ended March 31, 2014
(dollars)

	2013–14 Planned Results	2013–14 Actual	2012–13 Actual	Difference (2013–14 actual minus 2013–14 planned)	Difference (2013–14 actual minus 2012–13 actual)
Total expenses	491,189,000	503,068,212	486,552,650	11,879,212	16,515,562
Total revenues	(14,275,000)	(14,059,377)	(14,041,433)	(215,623)	(17,944)
Net cost of operations before government funding and transfers	476,914,000	489,008,835	472,511,217	12,094,835	16,497,618
Departmental net financial position	(190,746,000)	(191,437,094)	(181,924,828)	(691,094)	(9,512,266)

Office of the Commissioner for Federal Judicial Affairs Canada
Condensed Statement of Financial Position (unaudited)
As at March 31, 2014
(dollars)

	2013–14	2012–13	Difference (2013–14 minus 2012–13)
Total net liabilities	(197,806,799)	(188,767,748)	(9,039,051)
Total net financial assets	5,869,647	6,165,264	(295,617)
Departmental net debt	(191,937,152)	(182,602,484)	(9,334,668)
Total non-financial assets	500,058	677,656	(177,598)
Departmental net financial position	(191,437,094)	(181,924,828)	(9,512,266)

Financial Statements

Office of the Commissioner for Federal Judicial Affairs Canada
2013-14 Financial Statements:

http://www.fja.gc.ca/publications/statement-etat/index-eng.html[iv]

As required by the *Policy on Internal Control*, the Annex to the Statement of Management Responsibility including internal control over financial reporting and related action plan can be found at the following web link:

http://www.fja.gc.ca/publications/statement-etat/index-eng.html

Supplementary Information Tables

The supplementary information tables listed in the *2013–14 Departmental Performance Report* can be found on FJA's website:
http://www.fja.gc.ca/publications/dpr-rmr/2013-2014/st-ts01-eng.html[v]

- Sources of Respendable and Non-Respendable Revenue

Tax Expenditures and Evaluations

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations*[VI] publication. The tax measures presented in the ***Tax Expenditures and Evaluations*** publication are the sole responsibility of the Minister of Finance.

Section IV: Organizational Contact Information

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99 Metcalfe Street, 8th Floor
Ottawa, Ontario K1A 1E3

Telephone: (613) 995-5140
Facsimile: (613) 995-5615

Web site: http://www.fja-cmf.gc.ca

Appendix: Definitions

appropriation: Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures: Include operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report: Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Reports on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent: Is a measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes: A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure: A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures: Include net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance: What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve and how well lessons learned have been identified.

performance indicator: A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting: The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending: For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plans: The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities: Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program: A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

results: An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

Program Alignment Architecture: A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities: Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

Strategic Outcome: A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program: A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target: A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

whole-of-government framework: Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

[i] **Judges Act**, http://lois-laws.justice.gc.ca/eng/acts/J-1/index.html

[ii] **Whole-of-government framework**, http://www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx

[iii] *Public Accounts of Canada 2014*, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html

[iv] **Office of the Commissioner for Federal Judicial Affairs Canada, 2013-14 Financial Statements**, http://www.fja.gc.ca/publications/statement-etat/index-eng.html

[v] **Supplementary Financial tables**: http://www.fja.gc.ca/publications/dpr-rmr/2013-2014/st-ts01-eng.html

[vi] *Tax Expenditures and Evaluations* **publication**, http://www.fin.gc.ca/purl/taxexp-eng.asp